

REMARKS

Favorable reconsideration and allowance of the claims of the present application are respectfully submitted.

Claims 1-17 are rejected. Particularly, Claims 1-2, 12, 14 and 16-17 stand rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Hariguchi (U.S. Patent No. 6,181,698) ("Hariguchi"). Moreover, Claims 11, 13 and 15 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kumar et al. (U.S. Patent Publication No. 2004/0028040) ("Kumar"). In addition, the following obviousness rejections are pending: Claims 3 and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hariguchi in view of Kumar. Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hariguchi in view of Kumar et al. Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hariguchi in view of Kumar and in further view of Nagaraj (U.S. Patent No. 6,947,415) ("Nagaraj"). Claim 6 stands rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Hariguchi in view of Kumar. Claims 7-9 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Hariguchi in view of Kumar and in further view of Bragg (U.S. Patent Publication No. 2003/0012145) ("Bragg"). Claims 11, 13 and 15 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Nagaraj in view of Kumar. Furthermore, Claims 12-13 and 17 stand rejected under 35 USC § 101 because the claims are allegedly directed to non-statutory subject matter. Also the specification and Claims 2-10 and 14-17 stand objected to because of informalities.

Applicants provide the following response to the objection and respectfully traverse rejections presented in the May 16, 2007 Office Action.

With regards to the objections to the specification and Claims 2-10 and 14-17, Applicants would like to thank the Examiner for providing such detailed instructions for correcting the present inventions disclosure. In response, Applicants have amended the specification and claims as suggested in the Office Action.

Therefore, in light of the above amendments to the claims and specification, Applicants respectfully request withdrawal of the objections to the specification and Claims 2-10 and 14-17.

With regards to the § 101 rejection to Claims 12-13 and 17, base Claim 12 has been amended in proper *Beauregard* form, to recite a computer program storage device, readable by machine, tangibly embodying a program of instructions executable by a machine. In re Beauregard, 53 F.3d 1583 (Fed. Cir. 1995). Applicants note that support for said computer implementation is found in the September 9, 2003 specification on page 15, beginning on line 24. No new matter was added. Dependent Claims 13 and 17 have been canceled thereby rendering the object to those claims moot. In addition, Applicants have canceled dependent Claim 14.

In canceling dependent Claims 13-14 and 17, Applicants are not conceding in this application that those claims are not patentable, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the claims in this case. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation patent applications.

Therefore, Applicants respectfully request withdrawal of this ground of rejection as Claim 12 is now believed statutory subject matter based upon the amendments and the canceled claims.

With regards to the anticipation rejection of Claims 1-2, 12, 14 and 16-17 by Hariguchi, Applicants respectfully traverse this ground of rejection as follows:

Claim 1, as currently presented, recites, a method comprising, *inter alia*, **determining a default-route-prefix (P_d) in a default-route determination step**. A similar apparatus is recited in amended independent Claim 16. Dependent Claim 12, as mentioned above, has been amended in proper *Beauregard* form and is therefore now an independent claim disclosing a computer readable device having similar features as Claim 1.

In contrast, Hariguchi discloses a routing table where “an associated table entry for the destination from the packet destination address” is produced and “applying the packet destination address to a collection of CAM cells that store a stored address and store an address prefix . . .” Nowhere in Hariguchi disclosure does it disclose, **determining a default-route-prefix (P_d) in a default-route determination step**. Hence, Hariguchi does not relate to “default-routes” but performs routing based upon *known* information in a table entry. In other words, if a destination address is not known, in Hariguchi, there is no default routing of the destination address. Hence, Hariguchi’s unknown destination addresses are presumably deleted.

Therefore, Hariguchi fails to anticipate the present invention as that reference fails to show a method or apparatus comprising, *inter alia*, **determining a default-route-prefix (P_d) in a default-route determination step or means of doing the same**, as recited in Claims 1 and 16. Applicants respectfully request withdrawal of the anticipation rejection of Claims 1-2, 12, 14 and 16-17.

With regards to the anticipation rejection of Claims 11, 13 and 15 by Kumar, Applicants respectfully traverse this ground of rejection.

Claim 11, as currently presented, recites a method comprising, inter alia, processing a data packet, having a destination address (d), towards a routing destination, wherein a default-route-prefix (P_d) resides together with a default routing destination as an entry in a routing table cache (L_1).

In contrast, Kumar discloses a routing table that has two fields an IP address prefix and a next-hop field. No mention of a default-route-prefix (P_d) resides together with a default routing destination as an entry in a routing table cache (L_1). Hence, Kumar fails to anticipate such a feature.

Therefore, Kumar fails to anticipate the present invention as that reference fails to show that a default-route-prefix (P_d) resides together with a default routing destination as an entry in a routing table cache (L_1), as recited in Claims 11. Applicants respectfully request withdrawal of the anticipation rejection of Claims 11, 13 and 15.

With regards to the obviousness rejections to Claims 11, 13 and 15 over Nagaraj view of Kumar, Applicants respectfully traverse the rejection for similar reasons as those mentioned above in regards to the anticipation rejection of Claim 11.

In addition, Applicants submit that in contrast, Nagaraj discloses a routing table that has two fields an IP address prefix and a next-hop field. Nagaraj makes no mention of a default-route-prefix (P_d) residing together with a default routing destination as an entry in a routing table cache (L_1). Hence, Nagaraj fails to suggest or teach such a feature. Similar, as mentioned above, Kumar, fails to suggest or teach such a feature.

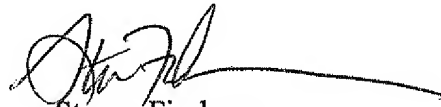
Therefore, since both Nagaraj and Kumar fail to suggest or teach at least one feature set forth in Claim 11, they both fail to make obvious the present invention as recited in those claims. Applicants respectfully request withdrawal of this rejection.

With regards to the remaining anticipation and obviousness rejections, Applicants submit that since the base claims, as discussed above are allowable, the dependent claims, which are dependent therefrom, must be allowable. In particular, dependent Claims 3 and 10, which depend on allowable base Claim 1, are now therefore allowable over the combination of Hariguchi in view of Kumar, which in combination, fails to suggest or teach the features in those claims. Claim 4, also dependent from allowable Claim 1 via dependent Claim 3, is therefore allowable over the combination of Hariguchi in view of Kumar. Claim 5, also dependent from allowable Claim 1 via dependent Claim 3, is therefore also allowable over Hariguchi in view of Kumar and in further view of Nagaraj. Claim 6 also directly depends from allowable Claim 1 and therefore Hariguchi in view of Kumar fails to make that claim obvious. Claims 7-9, also dependent from allowable Claim 1 via dependent Claims 7 and 3, therefore Hariguchi in view of Kumar and in further view of Bragg fail to make obvious those claims.

Therefore, Applicants respectfully request withdrawal of all five obviousness rejections.

Thus, in view of the foregoing amendments and remarks, it is firmly believed that the present case is in condition for allowance, which action is earnestly solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Steven Fischman', with a long horizontal flourish extending to the right.

Steven Fischman

Registration No. 34,594

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza – Suite 300
Garden City, New York 11530
(516) 742-4343
SF:DJD:tam